

Court No. - 88

Case :- CRIMINAL REVISION No. - 5003 of 2024

Revisionist :- Manoj Pathak

Opposite Party :- State Of Up And 3 Others

Counsel for Revisionist :- Lal Mani Singh, Pooja Singh, Raghuvir Sharan Singh

Counsel for Opposite Party :- G.A., Rajesh Kumar Singh

Hon'ble Vipin Chandra Dixit, J.

Heard Sri Lal Mani Singh, learned Counsel for the revisionist as well as learned A.G.A for the State and perused the record. No one is present on behalf of private opposite parties even in the revised list.

This criminal revision has been filed by the revisionist for setting aside the impugned judgment and order dated 6.7.2024 passed by Additional Principal Judge, Family Court No.3, Agra in Maintenance Case No.439 of 2019(Smt. Radha Sharma and others vs. Manoj Pathak) under Section 125 Cr.P.C., Police Station New Agra, District Agra, by which revisionist was directed to pay maintenance of Rs.8,000/- per month from the date of application till judgment and Rs.12,000/- per month from the date of judgment to his wife-opposite party no.2 and Rs.8,000/- per month from the date of application till judgment and Rs.10,000/- per month from the date of judgment to his daughters -respondent Nos.3 & 4.

It is submitted by learned counsel for the revisionist that the learned Family Court, without recording any finding regarding financial status and illness of the revisionist, has awarded very excessive maintenance in favour of respondent nos. 2 to 4.

Opposite party Nos. 2 to 4 are directed to file counter affidavit within one month. Rejoinder affidavit, if any, may be filed within one week thereafter.

List in second week of January, 2025.

Till the next date of listing, effect and operation of impugned judgment and order dated 6.7.2024 as aforesaid shall remain stayed provided the revisionist shall pay Rs.10,000/- per month to opposite party no.2 who is his wife and Rs.6000/- per month each to respondent nos.3 & 4 who are his daughters as maintenance and shall also pay entire arrears as per judgment & order dated 6.7.2024.

It is made clear that in case of default in payment of maintenance to opposite party No. 2 to 4, the interim protection granted to the revisionist shall stand automatically vacated.

Order Date :- 12.11.2024

P.P.